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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/185,703 | 11/04/1998 | FREDERICK R. GUY | 06053.0001-0 | 5673 |

7590 10/02/2002

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EXAMINER

CHENG, JOE H

ART UNIT PAPER NUMBER

3713

DATE MAILED: 10/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/185,703

Applicant(s)

GUY ET AL

cd

Examiner

Joe H. Cheng

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 1998 and 22 May 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-77 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 20-77 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

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DETAILED ACTION

1. In response to the Preliminary Amendments filed on November 4, 1998 and May 22, 2000, claims 1-19 have been cancelled and the newly added claims 20-77 are pending. In addition, applicant is requested to update the status of the parent application on the first line of the specification.

Election/Restrictions

2. Restriction to one of the following inventions is required under 35 U.S.C. 121:
- I. Claims 20-24, 38, 41-45, 59 and 62-73, drawn to the system and method for remote communication, classified in class 434, subclass 350.
 - II. Claims 25, 37, 46, 58, 74 and 75, drawn to the method and system of providing online services between a host and a plurality of client facilities, classified in class 348, subclass 586.
 - III. Claims 26, 40, 47 and 61, drawn to the method for integrating a continuous signal of images and sounds with a data signal as a television compatible signal, classified in class 348, subclass 501.
 - IV. Claims 27, 28, 30-33, 48, 49 and 51-54, drawn to the interactive television-computer apparatus having the single integrated television tuner/data decoding device and the user interface, classified in class 348, subclass 563.
 - V. Claims 29, 34-36, 39, 50, 55-57 and 60, drawn to the method for remotely controlling display data on a display device of a computer, classified in class 348, subclass 552.

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VI. Claims 76 and 77, drawn to the electronic information and method for handling electronic information for a user, classified in class 370, subclass 352.

3. The inventions are distinct, each from the other because of the following reasons:

Inventions I-VI are prima facie independent and distinct inventions due to their recitations of distinct and specific structures. Invention I is directed to the structural elements of the system and method for remote communication. Invention II is directed to the structural elements of the method and system of providing online services between a host and a plurality of client facilities. Invention III is directed to the structural elements of the method for integrating a continuous signal of images and sounds with a data signal as a television compatible signal. Invention IV is directed to the structural elements of the interactive television-computer apparatus having the single integrated television tuner/data decoding device and the user interface. Invention V is directed to the structural elements of the method for remotely controlling display data on a display device of a computer. Invention VI is directed to the structural elements of the electronic information and method for handling electronic information for a user. Because these inventions are distinct for the reasons given above and has acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

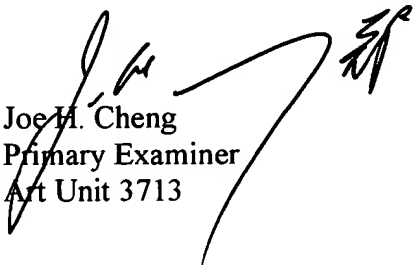
4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe H. Cheng whose telephone number is (703)308-2667. The examiner can normally be reached on Mon. - Thur..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on (703)308-4119. The fax phone numbers for the organization where this application or proceeding is assigned are (703)305-3579 for regular communications and (703)305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-1148.



Joe H. Cheng
Primary Examiner
Art Unit 3713

Joe H. Cheng
September 26, 2002